

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 2059 – HB 2129

April 2, 2018

SUMMARY OF ORIGINAL BILL: Changes, from February 1 to January 15, the reporting date the Tennessee Bureau of Investigation (TBI) is required to provide its annual report to the General Assembly on the amount of money collected from gun dealers that is in excess of the cost to the TBI to perform background checks.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (016433): Deletes and rewrites the proposed legislation to enact the “School Safety Act of 2018”, which authorizes local education agencies (LEAs) to enter into memorandums of understanding (MOUs) with local law enforcement agencies to permit off-duty law enforcement officers to serve as armed school security officers during regular school hours or during school-sponsored events conducted on the school’s premises. Allows for grants established within the Tennessee School Safety Center to be used for funding armed school security officers. Repeals the proposed legislation on July 1, 2022.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Increase State Expenditures – \$84,895,200/Each FY18-19 through FY21-22

Assumptions for the bill as amended:

- The proposed legislation adds a new section to the Schools Against Violence in Education (SAVE) Act, compiled in Title 49, Chapter 6, Part 8, authorizing LEAs to employ two off-duty law enforcement officers to serve as armed school security officers during regular school hours when children are present and two off-duty law enforcement officers during school-sponsored events that occur outside of school hours, but are conducted on the school’s premises.
- The proposed legislation requires each LEA that utilizes this program to maintain a record of all hours served by the armed school security officers.

SB 2059 – HB 2129

- The proposed legislation requires those LEAs that elect to employ armed school security officers to enter into a memorandum of understanding (MOU) with each law enforcement agency that employs the law enforcement officers that the LEA intends to select to serve as armed school security officers. The MOU must prescribe the type of firearm to be used, the manner in which the firearm may be carried, provisions prohibiting the armed school security officer from addressing discipline issues that do not constitute crimes and do not impact the immediate safety of the students or staff, provisions detailing how scheduling of armed school security officers will be determined, and the hours and wages of each armed school security officer assigned to a school within the LEA.
- The proposed legislation requires the chief of each law enforcement agency in the state to prepare a list of the law enforcement officers that they deem as qualified to serve as an armed school security officer for LEAs. These lists are to be distributed to all LEAs within the jurisdiction of the law enforcement agency and law enforcement agencies in surrounding areas in which there is a mutual agreement for purposes of furnishing assistance in law enforcement.
- The proposed legislation provides for a maximum of four armed school security officers to be present during regular school hours and after regular school hours at school-sponsored events that occur on the school's premises; a calendar year for LEAs consists of 180 school days.
- The proposed legislation states that a school shall not employ more than two armed school security officer per school day to work during the hours that children are present.
- According to the Department of Education there are 1,814 public schools in the state.
- Tennessee Code Annotated § 49-6-3004(e)(1) states that an instructional school day is 6.5 hours from.
- The proposed legislation requires that the armed school security officers be paid a minimum of \$10 per hour. An armed school safety officer would receive at least \$65 per day (6.5 hours x \$10 per hour).
- Assuming that all public schools will elect to employ the maximum of two armed school security officers during regular school hours, the proposed legislation will increase recurring state expenditures by \$42,447,600 (1,814 schools x 180 days x \$65/day x 2 armed school security officers).
- Additionally, assuming that all public schools would elect to employ the maximum of two armed school security officer during school-sponsored events that occur outside of school hours, but are conducted on the school's premises, the proposed legislation will increase recurring state expenditures by \$42,447,600 (1,814 schools x 180 days x \$65/day x 2 armed school security officers).
- The total increase in state expenditures is estimated to be \$84,895,200 (\$42,447,600 x 2) each FY18-19 through FY21-22.
- The proposed legislation provides that payments to the armed school security officers shall be made from the General Fund, subject to the availability of funds, and funding for the legislation may come from the Tennessee School Safety Center Grant as established in Tenn. Code Ann. § 49-6-4302.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

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